

St. Johnsbury Caledonian

WEDNESDAY, JULY 29, 1914.

PUBLISHED WEEKLY BY
THE CALEDONIAN COMPANY.W. J. Higelow,
Editor and Publisher,
76 Eastern Avenue, St. Johnsbury, Vt.
Entered at the St. Johnsbury post
office as second-class mail matter.TERMS OF THE CALEDONIAN
One year to any address, \$1.50
Six months, .75
Three months, .50
Clergymen in Caledonia County, \$1.00Local notices, wanted, for ad's, etc.,
cents per word first insertion. Legal
notices 10 cents a line, three inser-
tions. Probate notices \$3.00 each for
three insertions. Dissolution, libera-
tion and similar notices \$1.50 each for
three insertions. Card of thanks, 75
cents. Obituary poetry, 10 cents a
line.This paper is entitled to a place on
the Peabody's List of Honor.

THE CALEDONIAN CO.

OUT OF TOWN AGENTS
Boston—Eagle News Co., 597 Wash-
ington and 76 Summer Streets.
Lyndonville—Campbell & Blodgett.

Sen. Dillingham's Record.

The letter from Sen. Dillingham to F. A. Howland regarding the charge of Hon. C. A. Prouty that he had opposed railroad regulation in behalf of the interests is published in full elsewhere because it so completely refutes the charge. Sen. Dillingham's record shows that since he has been a member of the Senate four steps in railroad regulation have been asked for. They are:

The Elkins Law which made common carriers subject to regulations by the interstate commerce commission, forbidding rebating in any form, gave the courts power to enforce the orders of the commission and provided for the compulsory attendance of witnesses.

The Hepburn law which gave the commission power to fix rates and suspend any rates found to be discriminatory or unjust.

The Mann-Elkins law which established the United States Court of Commerce, a body created especially to expedite the hearings and enforcement of decisions by the interstate commerce commission, extended the jurisdiction of the commission and ordered an investigation of the issuance of railroad stocks and bonds preliminary to action by Congress on that subject.

The Physical Valuation of Railroads, an act demanded by some for some time but something the practical value of which is still in question. If the valuation can be made in time to be of use in determining the value of the road well and good but if it is found that the physical valuation cannot be determined until several years after the value is demanded its usefulness will be greatly hampered.

So complete has been the action on railroad regulation that Mr. Prouty, himself, says: "Taking the state and nation together, there is danger of too much rather than too little railroad legislation." In considering the remedying of evils that appear in industrial life it must be remembered that the evils are constantly presenting themselves in new forms, in unexpected ways. That is the only way they exist, by adopting new methods of evading enacted laws. To meet these new methods requires study, careful consideration and thorough knowledge of what should and what should not be restricted. Not only must one have this knowledge but he must be able to convince others that it is right. When these facts are remembered it must be evident that Congress has devoted itself quite honestly and effectively to the proper regulation of interstate transportation.

Still there are those who snarl "reactionary" whenever speaking of the men who have accomplished this work. This is a much overworked word. "A reactionary" has come to mean simply a man you oppose for some reason or other. The public should not be too much influenced by the irresponsible and meaningless use of this hateful word. Acquaint yourself with the facts and decide honestly whether in favoring these acts Sen. Dillingham has acted for the "interests" or for the public welfare.

State Penal Institutions

In studying the revenue and expense statement for Vermont issued by State Auditor Graham some interesting facts are found regarding the net cost of the penal institutions of the state during the years 1901-1913, inclusive. The figures which follow are the difference between the revenue the state received from these institutions and the amount paid by the state for their support.

The net cost of the Industrial School has been as follows: For 1901 \$20,036.00, for 1902 \$22,530.46, for 1903 \$24,795.10, for 1904 \$23,471.13, for 1905 \$24,148.06, for 1906 \$23,831.27, for 1907 \$24,958.54, for 1908 \$26,993.34, for 1909 \$26,230.71, for 1910 \$26,744.22, for 1911 \$31,760.01, for 1912 \$36,642.76, for 1913 \$54,354.91. Special appropriations to cover additions and repairs amounting to \$69,856.97 were made for this institution during the same period.

The net cost of the House of Correction has been as follows: For 1901 a surplus of \$573.09, for 1902 a surplus of \$6,441.66, for 1903 a surplus of \$1,771.39, for 1904 a cost of \$7,600.22, for 1905, a cost of \$4,299.36, for 1906 a surplus of \$2,599.36, for 1907 cost \$11,387.81, for 1908 cost \$1,453.53, for 1909 cost \$12,568.25, for 1910 cost \$9,231.86, for 1911 cost \$10,744.66, for 1912 cost \$15,507.32, for 1913 cost \$20,607.43. The special appropriations for this institution amounted to \$6,996.28.

The cost of the State Prison has been as follows: For 1901 cost \$5,535.25, for 1902 a surplus of \$151.10, for 1903 cost \$5,209.17, for 1904 a surplus of \$651.07, for 1905 a surplus of \$1,893.50, for 1906 a surplus of \$1,015.98, for 1907 cost \$12,126.27, for 1908 cost \$13,921, for 1909 cost \$11,309.09, for 1910 cost \$10,284.02, for 1911 cost \$20,942.38, for 1912 cost \$20,027.84, for 1913 cost \$16,504.18. The special appropriations amounted to \$16,261.09.

Of course the matter of surplus or cost is not the final test for penal institutions but the figures show that the net cost to the state has been steadily growing. The increase in the expense account of these institutions can be partially accounted for by the increased cost of living. But there has also been a steady decrease in the revenues of the prison and house of correction. We believe that new contracts for the labor of these institutions were made several years ago, and perhaps they were not so favorable as the old and this may account for some of the decrease in the revenues from these institutions. But one cannot help wondering if there has not been more sentiment than good business sense developing in these institutions and that this is responsible for some of the large increase in expenses. At any rate there is a fine opportunity for a business governor to investigate fully the increase in the cost here and see if some practical economies cannot be adopted that will make a more favorable showing.

Peace, Peace, There Is No Peace

There is every indication that exactly what the Caledonian predicted some weeks ago will happen in Mexico. Carranza and Carbajal apparently are able to agree upon terms of peace but Gen. Villa is ready to start a counter revolution as the hero of the revolutionists and a government based upon bloodshed and pillage will soon be demanding recognition from Pres. Wilson.

In his dogged determination to defeat Huerta, Pres. Wilson has aided and abetted the cause of Villa and now he is ready to smite the hand that fed him. It is not at all improbable that had Pres. Wilson recognized Huerta and withheld aid to the revolutionists the bandit Villa would have received his just deserts long before this. But he did not and poor Mexico seems no nearer law and order than when Wilson first began his encouragement of the revolutionists.

It is not the "watchful waiting" policy of the President that is responsible for this but his pernicious interference with the government of Mexico. United States must sooner or later pay the fiddler.

May Reduce Expenses.

The Rutland Herald which is ably advocating a sixty day session for the next legislature as a measure of economy objects to the proposition of The Caledonian that a recess be taken to allow the investigation and preparation of a bill consolidating and reorganizing the various state commissions. It adds:

In some way, some how, this proposal for a reorganization of administrative machinery should be before the legislature by the first of January next.

Some of the announced or potential candidates for Governor could make himself a lot of political capital by formulating such a plan, based on his own experience and knowledge of the needs of the situation.

It certainly would be to the credit of any man desiring to be Governor to submit to the next legislature a workable plan for reducing state expenses along this line. If the Herald's suggestion of only a sixty day session of the legislature could be

carried out legislative expenses would be very materially reduced. Let the Herald pound away at that end of it and possibly someone will be found to attack the executive and judicial end of the matter.

President Wilson's attempt to name a director of the International Harvester Company, a concern that is under indictment for violation of the Sherman anti-trust law, as a member of the federal reserve board has ended in complete failure. A majority, including all the republican members, of the Senate committee on banking had submitted an adverse report on his confirmation and a bitter fight in which the President had used all the power he could command had raged for several days in the Senate over confirmation. A majority of the Senate could not be secured to confirm a man who is so near a criminal before the law and the President was forced to withdraw the nomination to prevent an adverse vote. It is the first decisive defeat the President has experienced but it is an humiliating one.

William Barnes, Jr., alleged political boss of New York state, has sued Theodore Roosevelt for libel and Roosevelt says it "shows I am the one man the bosses fear." Possibly it is not because they are afraid, but because they realize Roosevelt has degenerated into a common scold with little regard for facts when he has a tirade to be delivered.

With the appropriation passed by Congress Vermont is assured of a fitting memorial to John MacDonough, who fought the battle of Plattsburg, and Vergennes can be trusted to give the people a great celebration on the centennial of that historic combat.

On August 15 the Panama Canal will be opened for commerce and the course of a large part of the world's commerce by sea will change its course. If the operation of the canal can be as successful as its construction, America will gain new honor.

DILLINGHAM'S VOTES

Has Favored All Laws For Interstate Commerce Commission—
Once Saved Prouty.

The following letter from Senator Dillingham to F. A. Howland is self-explanatory, and will make an interesting feature of the present campaign.

Washington, D. C.,
July 3, 1914.

Dear Howland:

I received your note enclosing a printed copy of Mr. Prouty's recent letter to the "Non-partisan Prouty Club" of Orleans, Vermont, in which he uses the following language:

"Mr. Dillingham has consistently and persistently, and without doubt honestly, since his sympathies all lie in that direction, acted with that coterie of senators who have been known as the champions of special interests. These men were the bodyguard of Senator Aldrich when he was the leader of the United States Senate, and they were generally against all propositions for reform which were supposed to unfavorably affect the interests which they stood to protect. The measures of railroad regulation, for example, which I have advocated and about which I especially know, were bitterly opposed by all of these men until further opposition could have been political suicide."

In reply to your inquiry what there is in my record upon which he can base such sweeping charges, I can, beside denying the truth of them, only refer to the records for information.

You will remember that the act creating the Interstate Commerce Commission became a law in 1887; that Mr. Prouty became a member of the Commission in December, 1896, and that I did not become a member of the Senate until four years later, namely, December, 1900.

The work of the Commission down to that time had been almost wholly that of investigation, but as it proceeded, it gradually became evident that some form of authority should be granted to the Commission, and

Thousands of Mothers Know its Value.
The Family Medicine for Coughs, Colds, Colic, Cuts, Scalds, Burns, Chills, Insects, Bites.
Prepared by the NEWBORN MEDICINE CO., Norway, Me.
YOUR MONEY REFUNDED, if it fails to benefit you when used strictly as directed on the inside wrapper. Try a bottle. Sold by all dealers.

BLACKSHAW THE JEWELER

Larger Hole In The Wall

FINEST QUALITY

Diamonds, Watches, Solid Gold Wedding Rings

and Jewelry. High grade watch and jewelry

repairing a specialty.

Phone 495 W

one of the most important questions ever presented to the Congress was that which related to the method by which Congress might constitutionally confer upon the Commission the powers which would enable it to do the work which everybody agreed ought to be done, promptly. The matter was long under consideration by members of the committee on interstate commerce, both in House and Senate and the act of 1903, known as the Elkins law, was the result.

What the Elkins Law Did.

It will be remembered that the Elkins act, so-called, strengthened the then existing laws by making common carriers liable for violations of the regulations imposed by the Interstate Commerce law and laid heavy penalties upon them for failure to file public tariffs. This law, also, made it a misdemeanor, punishable by heavy penalties, to grant or receive rebates, concession or discrimination, and under its provisions authority was given to equity courts to enforce the tariffs, prohibit discriminations and generally to carry the law into effect. It also provided for compulsory attendance of witnesses, and in order that nothing should hinder its operation it gave precedence in the courts to all cases prosecuted under the direction of the Attorney General in the name of the Interstate Commerce Commission. This afforded me my first opportunity after entering the Senate to study this character of legislation, and I heartily favored this bill which became a law February 19, 1903.

Roosevelt Was Cautious.

A little later the question of giving the Interstate Commerce Commission still greater power was agitated, but the question was one of such tremendous importance and the method to be adopted in so doing was one of such great difficulty that it commanded the attention of the best constitutional lawyers in the Senate.

December 6, 1904 President Roosevelt referred to the subject in his message to Congress, saying: "As the law stands the commission simply possess the bare power to denounce a particular rate as unreasonable. While I am of the opinion that at present it would be undesirable, if it were not impracticable, finally to clothe the commission with general authority to fix railroad rates, I do believe that, as a fair second step, the commission should be invested with the power, where a given rate has been challenged, and after full hearing found to be unreasonable, to decide, subject to judicial review, what shall be a reasonable rate to take its place; the ruling of the commission to take effect immediately, and to obtain unless and until it is reversed by the court of review."

Congress took the subject under consideration, facts were gathered and gradually the form which such legislation should take was developed, and in his message to Congress, December 5, 1905, President Roosevelt again called attention to the matter, saying:

"December 6, last, the immediate and most pressing need, so far as legislation is concerned, is the enactment into law of some scheme to secure to the agents of the government such supervision and regulation of the rates charged by the railroads of the country engaged in interstate traffic as small summarily and effectively prevent imposition of unjust or unreasonable rates. It must include putting a complete stop to rebates in every form and form. This power to regulate rates, like all similar powers over the business world, should be exercised with moderation, caution, and self-restraint; but it should exist, so that it can be effectively exercised when the need arises."

"The first consideration to be kept in mind is that the power should be affirmative and should be given to some administrative body created by Congress. If given to the present interstate commerce commission such commission should be made unequivocally administrative."

Passed the Hepburn Bill.

Two months later, February 8, 1906, the Hepburn bill, so-called, passed the House of Representatives and was sent to the Senate.

This law for the first time empowered, and made it the duty of the Interstate Commerce Commission whenever, after full hearing, upon the complaint of an aggrieved party, it should be of the opinion that rates demanded, received, or collected by any common carrier are unjust, unreasonable, discriminatory, or unduly preferential or prejudicial or otherwise in violation of any of the provisions of the act, to determine and prescribe what will be just and reasonable rates for charges to be thereafter observed in such cases as the maximum to be charged. And by the same act heavy penalties were laid upon carriers failing to obey the order of the commission, carrying such findings into effect.

Inasmuch as I was present and am recorded as voting upon every amendment offered during the entire consideration of this measure, as well as upon its final passage, and inasmuch as I favored every amendment calculated to strengthen and perfect the act, and in the end voted for its passage, I cannot be said to have "bitterly opposed" it.

Dillingham Saved Prouty.

During the discussion in the Senate of the bill last mentioned, an incident occurred which, in the light of present developments, is interesting. On May 14, 1906, Senator Lodge offered an amendment, providing that upon the passage of the bill, an interstate commerce commission should be appointed by the President to take the place of the then existing commission, of which Mr. Prouty was a member. It contained this sentence:

"Said Commission shall consist of nine members, one for and from each judicial circuit of the United States."

It was seen at a glance, and generally understood in the Senate, that this provision if adopted, would, even if not so intended, promptly legislate Mr. Prouty out of office, inasmuch as the first judicial circuit comprised the states of Connecticut, New York and Vermont, and the Honorable Martin A. Knapp of New York, who was then Chairman of the Commission, would undoubtedly be appointed to the new commission, if established.

The matter was deemed of such importance that early on the following morning I was visited at my hotel by Mr. Moseley, then secretary of the Interstate Commerce Commission, who freely discussed the danger with which Mr. Prouty was threatened, and the means by which it might be avoided. Secretary Moseley furnished me with maps indicating the territorial area of the different judicial circuits, which, if submitted to senators from the middle and extreme west, might naturally lead them to antagonize the proposed change.

Armed with this material, I spent the morning interviewing senators, using the material thus furnished me, with the result that when the amendment came before the Senate for action, I was assured on all sides—first by Senator Foraker of Ohio, who in the course of his remarks, among other things said: "I have another proposition. If we are going to indulge in the 'square deal,' let us look at the map for a minute. I do not know who prepared it, but if these Commissioners are to be distributed according to judicial circuits—

Mr. Dillingham: Will the Senator allow me to interrupt him for just a moment? I brought that map into the Senate. It was furnished me by the Secretary of the Interstate Commerce Commission at my request."

Mr. Foraker: I did not know where it came from, but it presents just what I wanted to call attention to."

Mr. Dillingham: Here is a statement of mileage in each of the circuits and the population."

Mr. Foraker: If the Senator will allow me, I will beg the Senator to present it."

Mr. Dillingham: I hand it to the Senator to use."

Mr. Foraker: I thank the Senator, though I did not want to take anybody else's ammunition. I would be glad if he would use it. Mr. President: I want Senators to look at these judicial circuits. One, two, three and four are practically in New England."

Senator Foraker then proceeded with his argument, and he was followed by many others. The matter went over until the next day, when Mr. Lodge withdrew his original amendment and offered a substitute therefor, which on motion of Senator Nelson was permanently disposed of by being laid on the table.

I helped to defeat this amendment because of my strong personal friendship for Mr. Prouty, my belief in his ability to creditably fill the position, and because of my objection to the enactment of legislation which might be construed as an intention to, or which would in fact, eliminate him from membership on the Interstate Commerce Commission.

A day or two thereafter I received from Mr. Prouty a courteous note of thanks which he is at liberty to publish if he so desires.

Physical Valuation of Railroads. During the consideration of this measure Senator LaFollette of Wisconsin, offered an amendment providing for the physical valuation of railroads. It was admitted by everyone that there was much merit in the proposition, but until the commission should have had full opportunity to test out and demonstrate the practicability of the broader jurisdiction and increased powers which the bill imposed, a great majority of the Senate felt that it would be premature to embark upon an undertaking of such magnitude.

That proposition was no part of the bill presented, and when as an amendment it had been fully debated and considered, and was placed upon its passage, it received the vote of only five republican senators, viz: Senator LaFollette, its author, and Senators Burkett, Dolliver, Elkins and Gamble.

I was one of 40 senators who voted against this proposition at that time, and it may be that this is the incident that Mr. Prouty had in mind when he said that I "acted with that coterie of Senators who have been known as the champions of special interests," in opposing measures of railroad regulation which he advocated and about which he says he specially knew.

Advised Not to Do More.

The estimate placed by President Roosevelt upon the value of the legislation to which reference is made, as well as other progressive legislation, may be found in his support, which he sent to the Congress the following December, in which he said:

"The present Congress has taken long strides in the direction of securing proper supervision and control by the National Government over corporations engaged in interstate business—and the enormous majority of corporations of any size are engaged in interstate business. The passage of the railway rate bill, and only to a less degree the passage of the pure food bill, and the provision for increasing and rendering more effective national control over beef-packing industry, mark an important advance in the proper direction. In the short session it will perhaps be difficult to do much further along this line; and it may be best to wait until the laws have been in operation for a number of months before endeavoring to increase their scope, because only operation will show with exactness

their merits and their shortcomings and thus give opportunity to define what further remedial legislation is needed."

Following this advice of the President, the Congress did not attempt, during the short session, to further legislate along interstate commerce lines.

But, when the Congress reconvened December 3, 1907, President Roosevelt in his message again called attention to the matter by recognizing the steady progress with which the subject had been pursued by the Congress, saying:

"There must be no halt in the healthy constructive course of action which this Nation has elected to pursue, and has steadily pursued, during the six years, as shown both in the legislation of the Congress and the administration of the law by the Department of Justice."

Commission Said Wait.

The reports of the Interstate Commerce Commission for 1908 and 1909 verify the force of President Roosevelt's statement, made in 1906, that:

"It may be best to wait until the laws have been in operation for a number of months before endeavoring to increase their scope because only operation will show with exactness their merits and their shortcomings and thus give opportunity to define what further remedial legislation is needed."

From these reports it appears that various appeals were taken from the decisions of the Commission, but that down to 1909 only one had been decided by the Supreme Court of the United States, although five others had been argued and submitted to that tribunal in October of that year.

The Mann-Elkins Bill.

Early in 1910 the time arrived for further action. President Taft in his message of January 7, 1910, foreseeing the vast volume of litigation that must necessarily arise as a result of the broad and increased powers which had been conferred upon the Interstate Commerce Commission, and the rapidly increasing volume of its operation, and knowing also the crowded condition of the docket of the Supreme Court of the United States, recommended the establishment of a United States Commerce Court, giving to it exclusive original jurisdiction of cases which would otherwise go to the Supreme Court of the United States for final adjudication.

In the following month, and on February 25, 1910, a measure known as the "Mann-Elkins Railroad Bill" was reported out by the Committee on Interstate Commerce, and found its place on the calendar of the Senate that day.

This bill provided for the establishment of a United States Commerce Court. It broadened the jurisdiction of the Commission so as to include through routes and joint rates, freight classification, long and short hauls, investigations on its own motion, determining reasonable rates, suspension of proposed rates, and many other matters. It also authorized the President to appoint a special commission to investigate questions pertaining to the issuance of railroad stocks and bonds, which was preliminary to any action of the Congress which might be required on that subject.

Get Solid Republican Vote.

Almost immediately this bill was taken up for consideration and remained before the Senate until June 3, 1910, when it was passed by a vote of 50 yeas to 12 nays, every republican present voting for it, and it also received the support of six democrats. It became a law June 18, 1910.

I favored this measure and voted for it. The record falls to show a single instance where I "bitterly opposed" railroad regulation.

Notwithstanding the provision authorizing the appointment of a

special commission to investigate questions pertaining to the issuance of railroad stocks and bonds, Senator LaFollette again urged an amendment providing for the physical valuation of railroads; the Senate was not prepared to adopt such amendment and rejected the same, only 24 senators out of the entire membership of that body voted for it. Of this number 13 were republicans and 11 were democrats.

As in the former instance and for like reason, I voted with the majority against this amendment.

Physical Valuation Passed.

During the next three years under the increased powers with which the Interstate Commerce Commission had been clothed its efficiency had been demonstrated, and the Congress following that healthy constructive course of action which it had elected to pursue in developing a system of regulation of interstate commerce, it became evident that the time to take up the physical valuation of railroads had come. Therefore on Friday, February 21, 1913, the Committee on Interstate Commerce reported to the Senate, with favorable recommendation, a bill providing for such physical valuation of the property of common carriers, and to secure information regarding their stocks and bonds, and boards of directors.

The Senate entered immediately into unanimous consent agreement to consider the same on the following Monday, February 24, and to vote upon it before adjournment on that calendar day. The program was carried out. Amendments were offered and accepted, and before the adjournment that night the bill had passed the Senate by a viva voce vote. With this proposition I was in hearty accord.

The legislation to which I have referred, all of which I gladly supported, comprises substantially all of the legislation under which the Interstate Commerce Commission has become a most important instrument of government, wielding an almost potential power in determining the rights of all classes of citizens, whether investors, carriers, those engaged in trade, or otherwise.

I do not know what further I can say in reply to your inquiry as to what there is in my record upon which Mr. Prouty could base such an unwarranted charge.

Sincerely yours,
W. P. DILLINGHAM.

GROTON

Mr. and Mrs. Horatio W. Heath of Boston are visiting his mother, Mrs. Hilda Heath.

Grover Smith of St. Johnsbury has been spending the past week with friends in town.

Mr. and Mrs. Khuney of Manchester, Conn., who have been visiting Dr. and Mrs. H. L. Tillotson the past 10 days, returned to their home Monday.

Mr. and Mrs. C. E. Ricker are enjoying a two weeks' outing at Groton Pond.

Rev. F. W. Lewis and family are spending their vacation at Lake Morey.

Alexander Dunnett and party of St. Johnsbury spent Sunday at Mr. Dunnett's summer home at Ricker Mills.

R. M. Harvey of Montpelier was a visitor in town Friday.

J. W. Morrison, S. J. Carter and M. M. Carter were business visitors at St. Johnsbury Friday.

The 25 cent piece was made famous by the American Liver Tablets, the perfect laxative.

CASTORIA

For Infants and Children

In Use For Over 30 Years

Always bears

the Signature of *Chas. H. Fletcher*

DO IT NOW!

The next Telephone Directory will soon go to press, and in order to GET YOUR NAME IN THE DIRECTORY, you should place your order for service at once.

The Passumpsic Telephone Company now has over 5400 telephone stations connected with its 20 exchanges in Caledonia, Essex and Orleans Counties, and through its connection with the New England Telephone and Telegraph Company, offers service with over 525,000 stations in New England.

With a Bell Telephone you may call Anyone, Anywhere, Any Time.

Passumpsic Telephone Co.